

November 1, 2009

NOV 03 2009

Central Valley Water Board
Regional Water Quality Control Board
1685 E St.
Fresno, CA 93706

Attn: Debra Bates

re: Notice of Intent to approve a Mitigated Negative Declaration for
Bass Lake Boat Owners Dock Association - Old Duceys' Cove Stream
Channel Armoring Project

Our comments regarding the above matter follow.

John Wilsons' drawing, now dated 7-23-08, shows the creek narrowing as it reaches its' termination point (mouth). This is inaccurate. Vertually all moving bodies of water widen as they terminate. This is no exception.

The section on this drawing indicates a depth of only 3 feet. This is not a realistic depiction.

Armoring only one side of the creek at its termination point almost insures that the creek will erode the cove to the north west side at this point. If armoring is allowed to be installed on the south east side, an adequate sized mouth needs to be established based on highest run-off, and engineered armoring needs to be installed on both sides of the creek at this point.

When we verbally expressed concern about the consequences of the one-sided armoring, we were told the PG and E maintenance agreement would cover that. This is not accurate, as the maintenance agreement is a rip rap agreement, and only covers the work to be done, not the consequences of the work.

An amount of lake bottom material needs to be removed equal to any material brought into the lake (rip rap). This cove has suffered numerous insults and doesn't need any more.

It appears to us that the length of the work area will be in excess of 50 feet, not 30 feet as stated. This dock association has a history of going beyond the work that is allowed. This concerns us.

For example, the fingers on this dock were built to 24' in length, when the maximum PG and E allowable length was/is 20'. The dock association was fully aware of the 20' limit when they exceeded it. (If 4' were removed from these fingers they would not over-hang the creek.)

We were originally told all work would be done by hand with no motorized equipment used. More recently we were told a small back hoe would be employed. We mentioned the ordinance prohibiting driving in the lake bottom, and were told it wouldn't constitute a vehicle driving in the lake bottom. HUH?

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We note item #9. in the PG and E Rip Rap Agreement states no vehicles or equipment shall be allowed in any portion of the lake. It seems unrealistic that the rip rap could be placed solely by hand. With this in mind, is this dock association again going to go beyond what is allowed?

Perhaps a more practical solution is to reduce the dock away from this part of the creek.

Thank you for the comment opportunity. We hope you will take our comments seriously and implement them


Philip E. Fleming


Beverly Fleming